

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Attorney be authorized to sign a Letter of Engagement between the City of El Paso and Norman J. Gordon, Attorney at Law, with Mounce, Green, Myers, Safi & Galatzan, a Professional Corporation to consult with the City on all aspects relating to the matter of the STATEMENT OF INTENT TO CHANGE RATES BY TEXAS GAS SERVICE COMPANY UNDER THE GAS RELIABILITY INFRASTRUCTURE PROGRAM AND REQUEST TO RECOVER COSTS IN PROMOTING ECONOMIC DEVELOPMENT.

ADOPTED this 29th day of June, 2004.

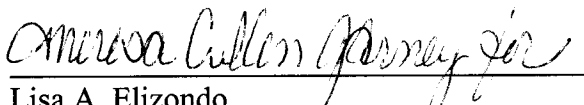
CITY OF EL PASO

Joe Wardy
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Lisa A. Elizondo
City Attorney

Item 4D
June 29, 2004



Office of the City Attorney
2 CIVIC CENTER PLAZA - 9TH FLOOR
EL PASO, TEXAS 79901
TELEPHONE (915) 541-4550
FACSIMILE (915) 541-4710

Lisa A. Elizondo
City Attorney

June 29, 2004

Mr. Norman Gordon
Attorney at Law
Mounce, Green, Myers, Safi & Galatzan
100 North Stanton, Suite 1700
El Paso, Texas 79901

Re: Fee Arrangement/Professional Services Letter of Engagement

Dear Mr. Gordon:

The City desires to engage you and your firm to provide professional legal services as Consultant in connection with any and all aspects and any possible appeals relating to the STATEMENT OF INTENT TO CHANGE RATES BY TEXAS GAS SERVICE COMPANY UNDER THE GAS RELIABILITY INFRASTRUCTURE PROGRAM AND REQUEST TO RECOVER COSTS IN PROMOTING ECONOMIC DEVELOPMENT.

Please read this letter carefully. It describes the terms and conditions under which the City of El Paso will retain you in connection with the above-described matter. The City's policy and Texas Disciplinary Rules of Professional Conduct require that this letter be signed before you engage in any work on behalf of the City. The terms and conditions of your engagement are as follows:

1. You and your firm shall provide all traditional legal services necessary for representation in Texas Gas Services' Application for a Rate Adjustment under the "GRIP" Bill as requested by the City of El Paso. This will include:

- (a) To consult with the City and its administrative personnel regarding any and all aspects of the STATEMENT OF INTENT TO CHANGE RATES BY TEXAS GAS SERVICE COMPANY UNDER THE GAS RELIABILITY INFRASTRUCTURE PROGRAM AND REQUEST TO RECOVER COSTS IN PROMOTING ECONOMIC DEVELOPMENT as requested by the City Attorney's Office;

- (b) Advising the City and its administrative personnel of legal requirements applicable to STATEMENT OF INTENT TO CHANGE RATES BY TEXAS GAS SERVICE COMPANY UNDER THE GAS RELIABILITY INFRASTRUCTURE PROGRAM AND REQUEST TO RECOVER COSTS IN PROMOTING ECONOMIC DEVELOPMENT; and
- (c) Such other legal services including but not limited to drafting pleadings, notices and correspondence and making all arrangements for the State Office of Administrative Hearing and the Texas Railroad Commission Hearings and through any possible appeals as requested by the City.

2. The Services shall be undertaken and completed in compliance with schedules established by the City, as appropriate to carry out the purposes of this Agreement.

3. The following fees, to be paid on a monthly basis as the legal services in connection with disclosure or other matters are performed:

<u>Person</u>	<u>Hourly</u>
Legal Assistants	\$80.00
Associates	\$120.00 - \$140.00
Partners	\$225.00

In addition, reimbursement will be requested for:

the routine expense of copying, printing, filing fees, delivery costs, long-distance telephone and facsimile transmission for reasonable and necessary out-of-pocket expenses including travel.

The attorneys fees set forth in this proposal, along with out-of-pocket expenses shall be held and maintained as set forth above with respect to consultation with regards to any and all aspects and any possible appeals in the matter of STATEMENT OF INTENT TO CHANGE RATES BY TEXAS GAS SERVICE COMPANY UNDER THE GAS RELIABILITY INFRASTRUCTURE PROGRAM AND REQUEST TO RECOVER COSTS IN PROMOTING ECONOMIC DEVELOPMENT.

Very Truly Yours,

By: _____

Lisa A. Elizondo
City Attorney

ACCEPTED:

Mounce, Green, Myers, Safi & Galatzan,
A Professional Corporation



Norman Gordon

Date: 6/17/04